

MESSAGE NO: 4282203 MESSAGE DATE: 10/08/2004

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-533-825

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2003 TO 12/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTO. LIQ. INSTR. FOR POLYETHYLENE TEREPHTHALATE (PET) FILM FROM INDIA (C-533-825) LIQ. ALL EXCEPT ESTER(-001) GARWARE(-002), POLYPLEX(-003), FLEX, JINDAL, MTZ, SRF

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PERIOD COVERED: 01 01 2003 TO 12 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTO. LIQ. INSTR. FOR POLYETHYLENE TEREPHTHALATE (PET) FILM FROM INDIA (C-533-825) LIQ. ALL EXCEPT ESTER(-001) GARWARE(-002), POLYPLEX(-003), FLEX, JINDAL, MTZ, SRF

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON POLYETHYLENE TEREPHTHALATE (PET) FILM FROM INDIA (C-533-825) FOR THE PERIOD 01/01/2003 THROUGH 12/31/2003, EXCEPT FOR THE FIRMS LISTED BELOW IN PARAGRAPH 3.

2. THE MERCHANDISE COVERED BY THESE INSTRUCTIONS ARE ALL GAUGES OF RAW, PRETREATED, OR PRIMED PET FILM, WHETHER EXTRUDED OR

COEXTRUDED. EXCLUDED ARE METALLIZED FILMS AND OTHER FINISHED FILMS THAT HAVE HAD AT LEAST ONE OF THEIR SURFACES MODIFIED BY THE APPLICATION OF A PERFORMANCE-ENHANCING RESINOUS OR INORGANIC LAYER OF MORE THAN 0.00001 INCHES THICK, FROM INDIA (C-533-825). THIS MERCHANDISE IS CURRENTLY PROVIDED FOR UNDER ITEM NUMBER 3290.62.00. OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND BUREAU OF CUSTOMS AND BORDER PROTECTION (CBP) PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(C) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE, EXPORTED ON OR AFTER 01/01/2003 AND ON OR BEFORE 12/31/2003.

POLYETHYLENE TEREPHTHALATE (PET) FILM FROM INDIA
(C-533-825)

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:1/1/2003-12/31/2003

ESTER INDUSTRIES LTD. (C-533-825-001)
FLEX INDUSTRIES LTD. (C-533-825-000)
GARWARE POLYESTER LTD. (C-533-825-002)
JINDAL POLYESTER LIMITED (C-533-825-000)
MTZ POLYESTERS LTD. (C-533-825-000)
POLYPLEX CORPORATION LTD. (C-533-825-003)
SRF LTD. (C-533-825-000)

4. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM

WAREHOUSE FOR CONSUMPTION DURING THIS PERIOD.

5. THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE LISTED ABOVE EXPORTED ON OR BEFORE 12/31/2003 IS LIFTED EXCEPT AS NOTED IN PARAGRAPH 3 ABOVE. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER 12/31/2003 WILL CONTINUE.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF ENTRY OR DATE OF DEPOSIT WHICH EVER IS LATER, OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, (202) 482-0984 OR (202) 482-3577 RESPECTIVELY.
(GENERATED BY 04:SEF).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party